

**GOVERNMENT OF ANDHRA PRADESH
ABSTACT**

Agri. Mrketing Department – Sri B.Seshaiah, Selection Grade Secretary (Retired) – Agricultural Market Committee Ongole -Release of Full Pension and retrial - benefits - Orders – Issued.

AGRICULTURE & COOPERATION (VIG.II) DEPARTMENT

G.O.RT.No. 32

Dated: 21.01.2015

Read the following:

1. From APAT Orders dt. 1.4.2013, in O.A.No. 1254/2010
2. From the APAT., C.A.No. 511/2014, in O.A.No.1254/2010, dated 15.3.2014
3. From the C&DAM., A.P., Hyderabad Lr.No. DS(1) 7/2004, dt.19.1.2015.

ORDER:-

The Commissioner and Director of Agrl. Marketing, A.P., Hyderabad in his letter 3rd read above, has stated that, based on the detailed enquiry, the Charges framed against Sri.B.Seshaiah, Selection Grade Secretary (Retd), Agricultural Market Committee, Ongole vide G.O. Rt. No.712, A&C (Vig.II) Department, dt.22.7.2004, G.O. Rt. No.915, A&C (Vig.II) Department, dt.11.9.2004, G.O. Rt. No.1142, 26.10.2004 and G.O. Rt. No.729, A&C(Vig.II) Department, dt.25.7.2005, by the Commissioner of Inquiries, wherein charges were held proved and after following due procedure, he was awarded punishment vide G.O. Rt. No.1055, A&C (Vig.II) Department, dt.3.8.2010, wherein his entire pension and gratuity was with held permanently besides recovery of Rs.75,33659/- pertaining to G.O. 712, 915 & 1142. Based on the enquiry regarding allegations of G.O. Rt. No.729, A&C(Vig.II) Department, dt.25.7.2005, the Government issued a Memo. No.15735/Vig.II/2004, dt.8.12.2011 to the C&DAM to recover the loss caused which is Rs.10.14,950/-.

2. The Commissioner and Director of Agrl. Marketing, A.P. Hyderabad has stated that, Aggrieved by the orders of the Government, Sri B.Seshaiah filed an O.A. No.1254/10 in APAT. The APAT in its order dt.01.04.2013 in O.A.No.1254/2010 the Court had ordered as follows:-

“ In view of the above, the OA is disposed of, with a direction to the respondents to release full pension and retrial benefits to the applicant as he has retired from service on attaining the age of superannuation on 31.10.2009 and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order. No costs.”

3. The Commissioner and Director of Agrl. Marketing, A.P. Hyderabad has stated that, Government in W.P.No. 14942/2014 challenged the orders of the Hon’ble APAT and the same was dismissed by the Hon’ble High Court duly confirming the orders of the Hon’ble APAT.

4. For non-implementation of this Order, Sri B.Seshaiah filed a C.A.No. 511/2014 in O.A. No. 1254/2010 before the APAT., Hyderabad.

5. The Commissioner and Director of Agrl. Marketing, A.P. Hyderabad has stated that, aggrieved by the orders of the Hon'ble High Court, the Government filed SLP(C) the CC No.2104/2014 before the Apex Court and the SLP has come up for hearing on 16.1.2015 and same was adjourned for 4 weeks without granting any stay orders.

6. The Commissioner and Director of Agrl. Marketing, A.P. Hyderabad has stated that, the G.P. A.P.A.T. in his opinion stated that, since there is no stay orders from the Supreme Court on the contempt case in APAT, Government has to implement the orders of the APAT without fail.

7. The Commissioner and Director of Agrl. Marketing, A.P. Hyderabad has requested the Government to issue suitable orders in the matter which will be subject to the orders of the Supreme Court of India.

8. Government having examine the all facts of the case and it is decided to implement the orders of A.P.A.T. in O.A.No. 1254/2010, dt. 1.4.2013.

9. Accordingly Government hereby implement the orders of A.P.A.T. in O.A.No. 1254/2010, dt. 1.4.2013, subject to the orders of the Supreme Court of India.

10. The Commissioner and Director of Agrl. Marketing, A.P. Hyderabad is requested to release full pension and retirement benefits to Sri B.Seshaiah Selection Grade Secretary (Retd) Agricultural Market Committee, Ongole duly implementing the orders of Hon'ble A.P.A.T. in O.A.No. 1254/2010, dt. 1.4.2013.

11. The Commissioner and Director of Agrl. Marketing, A.P. Hyderabad is also requested to inform the G.P., A.P.A.T., A.P., Hyderabad as above, so that he can apprise the Hon'ble APAT about the compliance of the APAT Orders dt. 1.4.2013 in O.A.No. 1254/2010 when the C.A.No. 511/2014 comes up for hearing on 23.1.2015.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**L.PREMACHANDRA REDDY
SECRETARY TO GOVERNMENT**

To.

The Commissioner and Director of Agrl. Marketing, A.P., Hyderabad
Copy to Government Pleader for Agrl. & Coop(s), A.P.A.T., Hyderabad
SF./S.C.

//FORWARDED BY ORDER//

SECTION OFFICER